Global Van Lines, Inc., South San Gabriel, Calif., filed December 27, 1960.

Between points in Alaska, and

Between points in Alaska, on the one hand, and, on the other, points in the United States except those in Arizona, Iowa, Maine, Minnesota, North Dakota, South Dakota, and Wyoming.

Note: No authority sought for overland transportation between areas described immediately above.

National Van Lines, Inc., Broadview, Ill., filed December 29, 1960.

Same as shown for Aero Mayflower, above.

Bekins Van Lines Co., Hillside, Ill., filed December 30, 1960.

Between points in Alaska, on the one hand, and, on the other, points in the United States.

United Van Lines, Inc., Maplewood, Mo., filed December 15, 1960.

Between points in Alaska, and

Between points in the United States and Alaska.

King Van Lines, Inc., Wichita, Kans., filed December 21, 1960.

Between points in Alaska, and

Between points in Alaska, on the one hand, and, on the other, points in the United States except Hawaii.

North American Van Lines, Inc., Fort Wayne, Ind., filed December 29, 1960.

Same as shown for Aero Mayflower, above.

Dean Van Lines, Inc., Long Beach, Calif., filed December 30, 1960.

Between points in Alaska, on the one hand, and, on the other, points in the United States.

Note: No authority sought for overland transportation between the areas indicated.

Republic Van And Storage Co., Inc., Los Angeles, Calif., filed December 30, 1960.

Same as shown for Aero Mayflower, above.

Note: No authority sought for overland transportation between points in Alaska, on the one hand, and, on the other points in the United States.

Martin Van Lines, Inc., Seattle, Wash., filed December 30, 1960.

Between points in Alaska, and

Between points in Alaska, on the one hand, and, on the other, points in Montana, Wyoming, Colorado, Idaho, Utah, Oregon, Washington, Minnesota, South Dakota, North Dakota, California, and Nevada.

Express Van Lines, Inc., Los Angeles, Calif., filed December 30, 1960.

Between points in Alaska, on the one hand, and on the other, points in California, Oregon, Washington, and that part of Idaho on and west of U. S. Highway 93 and on and south of U. S. Highway 30.

APPENDIX B

Pertinent Statutes

(Emphasis Supplied)

Section 206(a)(4) of the Interstate Commerce Act.

* * * * any *common carrier by motor vehicle* which, on the date this paragraph takes effect, is the holder of a certificate or certificates described in paragraph (2) of this subsection or issued under paragraph (3) of this subsection or section 207(a), authorizing transportation *by motor vehicle* be-

tween places in the United States of passengers or property in commerce between the United States and the Territory of Alaska, and *on August 26, 1958,* it or its predecessor in interest was *engaged in the transportation* of passengers or property as a *common carrier by motor vehicle* between places in the United States and places in Alaska, and such operations have been continued since that time * * * except * * * as to interruptions in service over which the carrier or its predecessor in interest had no control, shall be issued a certificate authorizing transportation to or from the points or areas in Alaska served by it, from or to all points in the other States of the United States designated in the above-mentioned certificate or certificates held by the carrier, of passengers or the class or classes of commodities specified therein, *to the extent that under the said certificate or certificates the carrier, prior to the date of admission of Alaska into the Union, was authorized to perform within the States all transportation required for through motor vehicle transportation by the carrier to or from places in the Territory of Alaska,* without requiring further proof that public convenience and necessity will be served thereby and without further proceedings, if application for such certificate is made to the Commission as provided herein on or before December 31, 1960. * * * *.

Section 206(a)(5).

* * * if any person (or his predecessor in interest) was *in operation on August 26, 1958,* over any route or routes, or in any area or areas, *as a common carrier engaged in the transportation* in interstate or foreign commerce of passengers or property by motor vehicle *between places in the territory of Alaska,* and has so *operated in Alaska* since that time * * * *, except * * * as to interruptions of service over which such person or his predecessor in interest had no control, a certificate

shall be issued authorizing such operations without requiring further proof that public convenience and necessity will be served thereby, and without further proceedings, if application for such certificate is made as provided herein on or before December 31, 1960: * * * *.

Recommended by Frank R. Saltzman and James C. Cheseldine, Examiners

(Signature) Frank R. Saltzman
(Signature) James C. Cheseldine

ORDER

At a Session of the INTERSTATE COMMERCE COMMISSION, Division 1, held at its office in Washington, D. C., on the day of A. D. 1963.

No. MC-107012 (Sub-No. 30)

NORTH AMERICAN VAN LINES, INC., ALASKA GRANDFATHER APPLICATION

Investigation of the matters and things involved in this proceeding having been made, said application upon due notice having been heard by the examiners, who have made and filed a report herein containing their findings of fact and conclusions thereon, which report is hereby made a part hereof, and said proceeding having been duly submitted:

It is ordered, That upon full compliance with the requirements of sections 215, 217, and 221(c) of the Interstate Commerce Act, and with our rules and regulations thereunder, a certificate be issued to applicant authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle of the

commodities described, and in the manner described in the findings in the said report.

It is further ordered, That the application in all other respects be, and it is hereby, denied.

And it is further ordered, That this order shall be effective on

By the Commission, division 1.

HAROLD D. McCOY,
Secretary.

(SEAL)

Recommended by Frank R. Saltzman and James C. Cheseldine, Examiners

(Signature) Frank R. Saltzman
(Signature) James C. Cheseldine

ORDER

At a Session of the INTERSTATE COMMERCE COMMISSION, Division 1, held at its office in Washington, D. C., on the day of A. D. 1963.

No. MC-1931 (Sub-No. 5)
MOLLERUP VAN LINES ALASKA GRANDFATHER APPLICATION

No. MC-2934 (Sub-No. 3)
AERO MAYFLOWER TRANSIT COMPANY, INC., ALASKA GRANDFATHER APPLICATION

No. MC-6992 (Sub-No. 6)
AMERICAN RED BALL TRANSIT COMPANY, INC., ALASKA GRANDFATHER APPLICATION

No. MC-8768 (Sub-No. 25)
SECURITY VAN LINES, INC., ALASKA GRANDFATHER APPLICATION

No. MC-15735 (Sub-No. 15)
ALLIED VAN LINES, INC., ALASKA
GRANDFATHER APPLICATION

No. MC-22254 (Sub-No. 29)
TRANS-AMERICAN VAN SERVICE, INC., ALASKA
GRANDFATHER APPLICATION

No. MC-26825 (Sub-No. 6)
ANDREWS VAN LINES, INC., ALASKA
GRANDFATHER APPLICATION

No. MC-36900 (Sub-No. 9)
U. S. VAN LINES, INC., ALASKA
GRANDFATHER APPLICATION

No. MC-40215 (Sub-No. 12)
RICHARDSON TRANSFER AND STORAGE CO.,
INC. ALASKA GRANDFATHER APPLICATION

No. MC-41098 (Sub-No. 9)
GLOBAL VAN LINES, INC., ALASKA
GRANDFATHER APPLICATION

No. MC-42866 (Sub-No. 7)
NATIONAL VAN LINES, INC., ALASKA
GRANDFATHER APPLICATION

No. MC-52793 (Sub-No. 13)
BEKINS VAN LINES, CO., ALASKA
GRANDFATHER APPLICATION

No. MC-67234 (Sub-No. 6)
UNITED VAN LINES, INC., ALASKA
GRANDFATHER APPLICATION

No. MC-70272 (Sub-No. 22)
KING VAN LINES, INC., ALASKA
GRANDFATHER APPLICATION

No. MC-110149 (Sub-No. 4)
DEAN VAN LINES, INC., ALASKA
GRANDFATHER APPLICATION

No. MC-110585 (Sub-No. 11)
REPUBLIC VAN AND STORAGE CO., INC.,
ALASKA GRANDFATHER APPLICATION

No. MC-112263 (Sub-No. 8)
MARTIN VAN LINES, INC., ALASKA
GRANDFATHER APPLICATION

No. MC-115835 (Sub-No. 3)
EXPRESS VAN LINES, INC., ALASKA
GRANDFATHER APPLICATION

Investigation of the matters and things involved in these proceedings having been made, said applications upon due notice having been heard by the examiners, who have made and filed a report herein containing their findings of fact and conclusions thereon; which report is hereby made a part hereof, and said proceeding having been duly submitted:

It is ordered, That said applications be, and they are hereby, denied.

And it is further ordered, That this order shall be effective on

By the Commission, division 1.

HAROLD D. McCOY,
Secretary.

(SEAL)

APPENDIX C.

DECISION AND ORDER

SERVICE DATE
JANUARY 13, 1964

At a Session of the INTERSTATE COMMERCE COMMISSION, Division 1, *Commissioners Hutchinson, Herring, and Tierney,* held at its office in Washington, D. C., on the 18th day of December, A. D. 1963.

No. MC-1931 (Sub-No. 5)
MOLLERUP VAN LINES ALASKA GRANDFATHER APPLICATION

No. MC-2934 (Sub-No. 3)
AERO MAYFLOWER TRANSIT COMPANY, INC., ALASKA GRANDFATHER APPLICATION

No. MC-6992 (Sub-No. 6)
AMERICAN RED BALL TRANSIT COMPANY, INC., ALASKA GRANDFATHER APPLICATION

No. MC-8768 (Sub-No. 25)
SECURITY VAN LINES, INC., ALASKA GRANDFATHER APPLICATION

No. MC-15735 (Sub-No. 15)
ALLIED VAN LINES, INC., ALASKA GRANDFATHER APPLICATION

No. MC-22254 (Sub-No. 29)
TRANS-AMERICAN VAN SERVICE, INC., ALASKA GRANDFATHER APPLICATION

No. MC-26825 (Sub-No. 6)
ANDREWS VAN LINES, INC., ALASKA GRANDFATHER APPLICATION

No. MC-36900 (Sub-No. 9)
U.S. VAN LINES, INC., ALASKA GRANDFATHER APPLICATION

No. MC-40215 (Sub-No. 12)
RICHARDSON TRANSFER AND STORAGE CO., INC., ALASKA GRANDFATHER APPLICATION

No. MC-41098 (Sub-No. 9)
GLOBAL VAN LINES, INC., ALASKA GRANDFATHER APPLICATION

No. MC-42866 (Sub-No. 7)
NATIONAL VAN LINES, INC., ALASKA GRANDFATHER APPLICATION

No. MC-52793 (Sub-No. 13)
BEKINS VAN LINES, CO., ALASKA GRANDFATHER APPLICATION

No. MC-67234 (Sub-No. 6)
UNITED VAN LINES, INC., ALASKA GRANDFATHER APPLICATION

No. MC-70272 (Sub-No. 22)
KING VAN LINES, INC., ALASKA GRANDFATHER APPLICATION

No. MC-110149 (Sub-No. 4)
DEAN VAN LINES, INC., ALASKA GRANDFATHER APPLICATION

No. MC-110585 (Sub-No. 11)
REPUBLIC VAN AND STORAGE, CO., INC., ALASKA GRANDFATHER APPLICATION

No. MC-112263 (Sub-No. 8)
MARTIN VAN LINES, INC., ALASKA GRANDFATHER APPLICATION

Upon consideration of the applications and the joint record in the above-entitled proceedings, including the report and recommended order of the examiners, the exceptions thereto filed separately by applicants American Red Ball Transit Company, Inc., King Van Lines, Inc., National Van Lines, Inc., Trans-American Van Service, Inc., Andrews Van Lines, Inc., Security Van Lines, Inc., United Van Lines, Inc., Allied Van Lines,

Inc., U. S. Van Lines, Inc., Martin Van Lines, Inc., Mollerup Van Lines, Inc., and jointly by Dean Van Lines, Inc., Global Van Lines, Inc., and Republic Van and Storage Co., Inc., and the replies to certain of the exceptions filed by North American Van Lines, Inc., and jointly by Alaska Orient Van Service, Inc., Continental Van Lines, Inc., and Smyth Overseas Van Lines, Inc., protestants; and

It appearing, That in Nos. MC-2934 (Sub-No. 3) and MC-52793 (Sub-No. 13) the recommended order of the examiners became effective by operation of law on August 9, 1963; that by petitions filed August 23 and 30, 1963, respectively, applicants in Nos. MC-2934 (Sub-No. 3) and MC-52793 (Sub-No. 13) seek reopening of such proceedings and leave to file exceptions therein to the recommended order of the examiner; that replies to said pleadings have been filed by North American Van Lines, Inc., Alaska Orient Van Service, Inc., Continental Van Lines, Inc., and Smyth Overseas Van Lines, Inc., and that the issues raised in said pleadings in Nos. MC-2934 (Sub-No. 3) and MC-52793 (Sub-No. 13) are related to and should be disposed of concurrently with those in the other above-entitled proceedings; therefore,

It is ordered, That the late filed exceptions be, and they hereby, accepted for filing in Nos. MC-2934 (Sub-No. 3) and MC-52793 (Sub-No. 13) as petitions for reconsideration; and

It further appearing, That the said pleadings, including the said petitions, raise no new or material matters of fact or law not adequately considered and properly disposed of by the examiners in their report, and are not of such nature as to require the issuance of a re-

port by Division 1 discussing the evidence in the light of such pleadings;

It further appearing, That the examiner recommended that the said applications be denied;

Wherefore, and good cause appearing therefor:

We find, That the evidence considered in the light of the said pleadings does not warrant a result different from that reached by the examiners; and that the statement of facts, the conclusions, and the findings of the examiners, being proper and correct in all material respects, should be, and they are hereby, affirmed and adopted as our own; and

It is ordered, That the petitions be, and they are hereby denied.

It is further ordered, That the said applications for "grandfather" certificates of public convenience and necessity be, and they are hereby, denied, effective February 3, 1964.

By the Commission, division 1.

HAROLD D. McCOY,
Secretary.

(SEAL)

APPENDIX D.

SERVICE DATE
FEBRUARY 26, 1964

ORDER

At a General Session of the INTERSTATE COMMERCE COMMISSION, held at its office in Washington, D. C., on the 19th day of February, A. D. 1964

No. MC-1931 (Sub-No. 5)
MOLLERUP VAN LINES, ALASKA GRANDFATHER APPLICATION

No. MC-2934 (Sub-No. 3)
AERO MAYFLOWER TRANSIT COMPANY, INC., ALASKA GRANDFATHER APPLICATION

No. MC-6992 (Sub-No. 6)
AMERICAN RED BALL TRANSIT COMPANY, INC., ALASKA GRANDFATHER APPLICATION

No. MC-8768 (Sub-No. 25)
SECURITY VAN LINES, INC., ALASKA GRANDFATHER APPLICATION

No. MC-15735 (Sub-No. 15)
ALLIED VAN LINES, INC., ALASKA GRANDFATHER APPLICATION

No. MC-22254 (Sub-No. 29)
TRANS-AMERICAN VAN SERVICE, INC., ALASKA GRANDFATHER APPLICATION

No. MC-26825 (Sub-No. 6)
ANDREWS VAN LINES, INC., ALASKA GRANDFATHER APPLICATION

No. MC-36900 (Sub-No. 9)
U.S. VAN LINES, INC., ALASKA GRANDFATHER APPLICATION

No. MC-41098 (Sub-No. 9)
GLOBAL VAN LINES, INC., ALASKA GRANDFATHER APPLICATION

No. MC-42866 (Sub-No. 7)
NATIONAL VAN LINES, INC., ALASKA
GRANDFATHER APPLICATION

No. MC-52793 (Sub-No. 13)
BEKINS VAN LINES, CO., ALASKA
GRANDFATHER APPLICATION

No. MC-67234 (Sub-No. 6)
UNITED VAN LINES, INC., ALASKA
GRANDFATHER APPLICATION

No. MC-110149 (Sub-No. 4)
DEAN VAN LINES, INC., ALASKA
GRANDFATHER APPLICATION

No. MC-110585 (Sub-No. 11)
REPUBLIC VAN AND STORAGE CO., INC.,
ALASKA GRANDFATHER APPLICATION

No. MC-112263 (Sub-No. 8)
MARTIN VAN LINES, INC., ALASKA
GRANDFATHER APPLICATION

Upon consideration of the record in the above-entitled proceedings, and of:

(1) Petition of Allied Van Lines, Inc., applicant in No. MC-15735 (Sub-No. 15), filed January 27, 1964, for determination and announcement that the proceeding involves an issue of general transportation importance;

(2) Petition of Andrews Van Lines, Inc., applicant in No. MC-26825 (Sub-No. 6), filed January 28, 1964, for determination and announcement that the proceeding involves an issue of general transportation importance;

(3) Petition of Trans-American Van Service, Inc., applicant in No. MC-22254 (Sub-No. 29), filed January 28, 1964, for determination and announcement that the proceeding involves an issue of general transportation importance;

(4) Joint petition of American Red Ball Transit Company, Inc., and National Van Lines, Inc., applicants in Nos. MC-6992 (Sub-No. 6) and MC-42866 (Sub-No. 7) respectively, filed January 28, 1964, for determination and announcement that the proceedings involve an issue of general transportation importance;

(5) Petition of Aero Mayflower Transit Company, Inc., applicant in No. MC-2934 (Sub-No. 3), filed January 28, 1964, for determination and announcement that the proceeding involves an issue of general transportation importance;

(7) Petition of Bekins Van Lines Co., applicant in No. MC-52793 (Sub-No. 13), filed February 3, 1964, for determination and announcement that the proceeding involves an issue of general transportation importance;

(8) Joint petition of Security Van Lines, Inc., and Martin Van Lines, Inc., applicants in Nos. MC-8768 (Sub-No. 25) and MC-112263 (Sub-No. 8) respectively, filed February 6, 1964, for determination and announcement that the proceedings involve an issue of general transportation importance;

(9) Petitions of United Van Lines, Inc., applicant in No. MC-67234 (Sub-No. 6), filed February 7, 1964, for determination and announcement that the proceeding involves an issue of general transportation importance, and leave to file such a petition;

(10) Joint petitions of Mollerup Van Lines, Global Van Lines, Inc., Dean Van Lines, Inc., and Republic Van and Storage Co., Inc., applicants in Nos. MC-1931 (Sub-No. 5) MC-41098 (Sub-No. 9), MC-110149 (Sub-No. 4), and MC-110585 (Sub-No. 11) respectively, filed February 10, 1964, for determination and announcement that the proceedings involve an issue of general

transportation importance, and leave to file such a petition;

and good cause appearing therefore:

It is ordered, That the petitions be, and they are hereby, denied, for the reason that in the judgment of the Commission no issue of general transportation importance is involved.

By the Commission.

HAROLD McCOY
Secretary

(SEAL)

APPENDIX E.

INTERSTATE COMMERCE COMMISSION

Served January 21, 1965

NOTICE TO THE PARTIES

Exceptions, if any, must be filed with the Secretary, INTERSTATE COMMERCE COMMISSION, Washington, D. C., and served on all other parties in interest, within 30 days from the date of service shown above, or within such further period as may be authorized for the filing of exceptions. At the expiration of the period for the filing of exceptions, the attached order will become the order of the Commission and will become effective unless exceptions are filed seasonably or the order is stayed or postponed by the Commission. To be seasonably filed, exceptions must reach the Commission on or before the date they are due. If exceptions are filed, replies thereto may be filed within 20 days after the final date for filing exceptions.

Any new operation to be authorized by the recommended order herein if it becomes effective may not be commenced until such time as the certificate, permit, or license has actually been issued. The certificate, permit, or license will not be issued until the applicant has complied with the provisions of the Interstate Commerce Act and the requirements of the Commission thereunder. It should not be assumed that the recommended order has become effective as the order of the Commission until a notice to that effect, signed by the Secretary of the Commission, has been received.

No. MC-123297 (Sub-No. 1)[1]

CARL V. LINDSTROM and ELMER E. LINDSTROM EXTENSION - SOUTHEAST ALASKA

(Reentitled)

RELIABLE TRANSFER CORPORATION EXTENSION - SOUTHEAST ALASKA

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1 This report also embraces the following applications: Nos. MC-123313 (Sub-No. 2), Jessie Orme Extension—Southeast Alaska; MC-123323 (Sub-No. 1), Alaska Transfer, Inc., Common Carrier Application; MC-123337 (Sub-No. 2), Ireland Transfer & Storage Co. Extension—Southeast Alaska Reentitled Ralph M. Bartholomew Extension—Southeast Alaska; MC-123332 (Sub-No. 1), Cordell Transfer Co., Inc., Extension—Southeast Alaska; MC-124128 (Sub-No. 2), Keith B. Snowden Extension—Southeast Alaska; MC-124213 (Sub-No. 3), Mr. and Mrs. Charles Ouellette Extension—Southeast Alaska; MC-125271, Donald E. Krake Common Carrier Application; and MC-125778 (Sub-No. 1), Ervon E. Fairbanks and Leslie A. Fairbanks Common Carrier Application.

By order of the Commission dated August 14, 1964, in No. MC-123297 (Sub-No. 1) Reliable Transfer Corporation was substituted as applicant in lieu of Carl V. Lindstrom & Elmer E. Lindstrom, a partnership, doing business as Reliable Transfer, in whose name the application was originally filed. By order of the Commission dated August 5, 1964, in No. MC-123327 (Sub-No. 2) Ralph M. Bartholomew, doing business as Ireland Transfer & Storage Co., was substituted as applicant in lieu of Ralph A. Bartholomew, Laura S. Bartholomew, and Ralph M. Bartholomew, a partnership, doing business as Ireland Transfer & Storage Co., in whose name this application was originally filed.

Decided ————

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Public convenience and necessity found to require operations by applicants, in interstate or foreign commerce, as common carriers by motor vehicle of general commodities, with exceptions, between specified areas in Alaska, over irregular routes. Issuance of certificates approved upon compliance by applicants with certain conditions; and applications denied in all other respects.

N. C. Banfield, Julian C. Rice and *Duane Craske* for applicants.

N. C. Banfield for protestants in Nos. MC-123327 (Sub-No. 2) and MC-123332 (Sub-No. 1).

Julian C. Rice for protestants in Nos. MC-123297 (Sub-No. 1), MC-123313 (Sub-No. 2), MC-123323 (Sub-No. 1), MC-125271, MC-125778, MC-124128 (Sub-No. 2), and MC-124413 (Sub-No. 3).

REPORT AND ORDER

RECOMMENDED BY JOINT BOARD NO. 412 COMPOSED OF WILLIAM F. MEEHAN, JR., OF ALASKA

The name of the applicant, date of filing the application, and the authority sought, as amended, in each of the nine applications embraced in this report are set forth in Appendix A.

Each of the applications was assigned to Joint Board No. 412 for hearing and recommendation of an appropriate order thereon. Inasmuch as related issues are involved, all applications were heard on a consolidated record at Juneau, Alaska, on July 22 and 23, 1964. Certain of the applicants oppose the granting of certain

of the other applications.[2]

A brief summary of the background of the applications seems apropos. Each was filed following inauguration by the Division of Marine Transportation, Department of Public Works, of Alaska, of a State financed and operated ferry service, commonly referred to as the Alaska Marine Highway or the State Ferry System, between Prince Rupert, British Columbia, Canada, and Skagway, Alaska, a distance of approximately 460 miles, in January of 1963. Each applicant proposes to utilize the facilities of the Marine Highway in conducting certain of its proposed operations. The service was inaugurated in order to promote the commerce of southeast Alaska (the Alaska Panhandle) and is a substitute for, or is in lieu of, a conventional major highway between Haines and Prince Rupert, the construction and maintenance of which would be virtually prohibitive due to the mountainous terrain of southeastern Alaska.[3] Southeastern Alaska in 1960 had a total population of approximately 38,000, with Ketchikan having a population of 6,483, Wrangell 1,350, Petersburg, 1,502, Sitka 3,237, Juneau 6,797, Haines 392, and Skagway 659. At Haines the ferry connects with an im-

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2 Reliable Transfer, Donald E. Krake, Fairway Fast Freight Service, and Alaska Transfer, Inc., intervened in opposition to the application of Ireland Transfer and Storage Co. Reliable Transfer, Donald E. Krake, Fairway Fast Freight Service, and Jessie Orme intervened in opposition to the application of Cordell Transfer Co. Ireland Transfer and Storage opposes all applications except those of Service Transfer and Jessie Orme, Cordell Transfer Co. opposes all applications except those of Alaska Transfer, Inc. In addition, Alaska Van & Storage Co., Inc., Denali Transportation Corp., H. & S. Warehouse Asso., Sig Wold Storage & Transfer Co., Inc., and Sourdough Express Co., Inc., oppose the application of Reliable Transfer.

3 It has been estimated the construction of such a highway between Haines and Prince Rupert, with service also at Skagway, Juneau, Petersburg, Wrangell and Ketchikan, would cost from $400,000,000 to $800,000,000 and that annual maintenance costs would approximate $2,500 per mile.

proved highway which extends northward through northwestern Canada to connect with the highway system to interior Alaska. At Prince Rupert, highway connection is made, via Prince George, British Columbia, with the Alcan Highway, other highway systems of Canada, and the highway systems of the southern 48 States of the United States. At Skagway connection is made with the White Pass and Yukon Railroad to White Horse, Canada. The Marine Highway is regarded by Alaska as an extension of the existing highway systems and is sometimes also considered an alternate highway to the Alcan Highway. In no sense is it considered by the State as a carrier subject to regulation by any Federal agency. It does not accept cargo per se. While a "tariff" is published by the Division of Marine Transportation of the State for application on the water route, the State does not join in through routes and joint rates with any carrier. Neither is the "tariff" filed with any Federal agency; nor does the State propose to file it with any such agency.

At the time of the hearing, the State had three new vessels in service. Daily summer schedules were being operated between Prince Rupert and Skagway with scheduled stops at the way points of Ketchikan, Wrangell, Petersburg, Sitka, Juneau, and Haines. Sitka is served weekly on the schedule departing from Prince Rupert on Thursdays. Each of the vessels is 352 feet in length with a beam of 72 feet; has a capacity of 3,500 tons; and has 38 staterooms and accommodations for 400 deck passengers and approximately 108 vehicles. Each vessel also has dining room, snack bar, and cocktail lounge facilities. It is anticipated that the number of vessels operated during the winter months may be reduced to two due to a decline in traffic during those

months. Except for the schedules via Sitka, each schedule between Prince Rupert and Skagway requires approximately 32 hours in each direction. The scheduled voyages via Sitka requires approximately 44 hours in each direction. A typical northbound non-Sitka voyage departs from Prince Rupert about 10:00 a.m., with stops at Ketchikan at 4:00 p.m., Wrangell at 10:30 p.m., Petersburg at 2:00 a.m., Juneau at 9:15 a.m., Haines at 4:00 p.m., and arrival at Skagway at 5:30 p.m., of the following day. In the return southbound non-Sitka service the vessel departs from Skagway at 10:00 p.m., with stops at Haines at 11:00 p.m., Juneau at 6:00 a.m., Petersburg at 1:30 p.m., Wrangell at 5:00 p.m., Ketchikan at 11:15 p.m., and arrival at Prince Rupert at 6:00 a.m. on the second day. Approximately 30 minutes in-port time is allowed at each of the way points except Sitka where the in-port time allowed is approximately 2½ hours depending on weather and tidal conditions

Published fares and tariff charges are assessed for the services. Passenger fares range from $1.50 between Haines and Skagway to $30.00 between Prince Rupert and Skagway. Children under 6 years of age are carried free when accompanied by a parent or guardian. Children between 6 and 12 years of age are charged half fare. All persons 12 years of age and over are charged the full fare. Stateroom charges range upward from $3.50 for a single standard berth between Petersburg and Wrangell to $33.00 for a 4 berth standard stateroom between Prince Rupert and Skagway via Sitka. All vehicular tolls are levied solely on the basis of space utilized rather than weight. For passenger automobiles they range from $1.50 per vehicle between Haines and Skagway to $30.00 per automobile be-

tween Prince Rupert and Skagway. Charges for other vehicles (trucks, tractors, and trailers) are levied upon the basis of length of the vehicle, whether loaded or empty. The basic toll is for vehicles up to 10 feet in length. Thereafter, tolls are applicable on vehicles from 11 feet up to and including 20 feet in length, and thence upward on vehicles to 60 feet in length in increments of 5 feet. The tolls range from $3.00 applicable on such vehicles up to 10 feet in length between Haines and Skagway upward to $272.20 between Prince Rupert and Skagway on vehicles from 56 to and including 60 feet in length. These charges are exclusive of fares of the drivers of the vehicle. No discount is given for round-trip passage. During the 1963-1964 winter season, however, the tolls were reduced in that no fares were assessed for drivers of automobiles and trucks. Trailers, particularly those used in transporting fish, generally move without tractors, being merely driven on and off the vessel with tractors driven by the owners, shippers, or their agents. Straight trucks are usually accompanied by drivers. Schedules of charges are also provided for motorcycles, with or without side cars, and for motorscooters.

No responsibility is assumed by the State for the loading or unloading of unattended vehicles. Nor is the State liable for theft from persons, baggage, or vehicles while on the vessel or at the terminals. Baggage lockers are provided for the safe keeping of valuables.

The waters navigated in this service are all tidal waters. Except possibly for those west of Baranof Island used in serving Sitka, they consist of narrows, straits, bays, sounds, etc., protected from the open

ocean by outlying islands and are classed as inland waters by the United States Coast Guard. At least a portion of the voyage to and from Sitka, on the western side of Baranof Island, apparently is in the open Pacific Ocean. At the time of hearing there was a substantial use of the water route by trucks between such points as Prince Rupert and Ketchikan and less use of the route between such points as Prince Rupert and Haines or Skagway.[4]

As noted, all of the applicants propose to utilize the Marine Highway in conducting portions of their respective operations. In some instances, only their trailers are placed on the vessel at the origin of the water segment of the haul and taken off at the end by applicants or their agents with motive power owned and operated by applicants or their agents. In other instances, particularly when straight trucks are involved, the drivers of the vehicles drive them on and off of the vessel and remain with the equipment during the water portion of the movement. Whenever the water route is utilized, applicants themselves pay the tolls and such charges are included in their total rates charged the shippers. In those applications requesting regular-route authority, such reference is to the water leg of the movement rather than to scheduled regular-route service as customarily contemplated by the expression "regular-route" operation. Except for those applicants which already hold certificates from this Commission authorizing non-radial operations, they here generally

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4 Following the consolidated hearing in these proceedings, counsel for all parties stipulated that the testimony of the Director of the Division of Industrial Planning of the Alaska Department of Economic Development and Planning, as presented in Nos. FF-275 and FF-275 (Sub-No. 1) at Ketchikan on July 15, 1964, might also be considered in the present proceedings. Such testimony is received by the Joint Board at this time.

do not seek authorizations for local non-radial operations within any island area, community, city, or municipality beyond their respective bases of operations. Those applicants already holding certificates authorizing the transportation of general commodities, with exceptions, also here seek commodity authorizations conforming with those already held. Nor do any of the applicants seek authority duplicating any already held from this Commission.

All applicants propose to interline freight with the Alaska Steamship Company which operates between Seattle, Wash., and such points as Ketchikan, Wrangell, Petersburg, Juneau, Haines, and Sitka. In this connection, however, it is noted that service by this steamship line at Haines declined substantially since 1962; that at Skagway its service was discontinued approximately 18 months prior to the hearing in these cases; and that Skagway shipments handled by that carrier are now interlined at either Juneau or Haines with truck lines utilizing the Marine Highway into and out of Skagway. The testimony of certain of the applicants was presented also in support of certain other of the applications. While certain applicants opposed the applications of some of the other applicants, no affirmative evidence was presented by any such carriers in support of their protests: All applicants, as demonstrated on the record, are established truckers; they have adequate equipment to conduct their proposed operations; and all are fully able, financially and otherwise, to conduct the operations in question.

Of the individual applicants, *Reliable Transfer* and its predecessor have been in the transfer business at Juneau continuously since 1955. This applicant holds a "grandfather" certificate from this agency authorizing

the transportation of general commodities, except articles of unusual value, classes A and B explosives, commodities in bulk, and those requiring special equipment, over irregular routes, between points within 25 miles of Juneau, including Juneau. Evidence was presented of shipments transported in interstate or foreign commerce from Juneau to Haines and from Skagway to Juneau, via the Marine Highway, under a temporary authority held by the applicant. On these shipments, applicant's trucks were driven on the vessel at origin and off at destination by drivers who accompanied the equipment during the water portion of the movement. *Jessie Orme* has conducted a trucking business at Juneau since about 1957 and likewise holds a "grandfather" certificate authorizing the transportation of general commodities, except those of unusual value, classes A and B explosives, commodites in bulk and those requiring special equipment, between points within 25 miles of Juneau, including Juneau, over irregular routes, as well as a temporary authority which authorizes the transportation of general commodities, except livestock and articles of unusual value, between points in southeastern Alaska with the right to tack such service with the "grandfather" operation. This applicant stressed the decline in recent years of the volume of traffic handled by the Alaska Steamship Company to and from Haines and that carrier's increasing use of Juneau as a point of interchange on shipments moving to or from Haines. Shipments are also interlined by applicant in increasing volumes with the major airlines serving Juneau. In addition, it is anticipated that Juneau-domiciled truckers will utilize the Marine Highway more frequently in the future in connection with shipments moving to or from logging camps in the Juneau territory. As an agent of certain national van lines,

this applicant assertedly has handled numerous shipments of household goods either through Juneau or through its agents at Sitka and Ketchikan. Shipments were handled in this manner in 1964 from Annette, Alaska, to Elizabeth City, N. C., and from Ketchikan to Cleveland, Ohio, and San Francisco, Calif. While *Alaska Transfer, Inc.,* has held itself out to transport general commodities throughout the Juneau area, this company specializes in the transportation of household goods; it is an agent for certain national van lines; and it is presently operating under a temporary authority issued by this Commission which authorizes the transportation of general commodities, except those of unusual value and livestock, over irregular routes, between points in southeast Alaska, with the right to tack such operation with any other authorized by this Commission and to interline traffic with connecting carriers. Under the temporary authorization, shipments of household goods have been transported from Juneau to Anchorage, Palmer, and Fairbanks, Alaska, in connection with which the water route was utilized, presumably between Juneau and Haines.

Donald E. Krake has been in the local transfer business in the Haines are for approximately 6 years and holds appropriate authority from the Alaska Public Service Commission and temporary authority from this agency authorizing the transportation of general commodities, except livestock and articles of unusual value, over irregular routes, between points in southeastern Alaska with the right to interline traffic with connecting motor carriers. Of his total hauling, a substantial portion involves shipments moving in interstate or foreign commerce between Haines, Skagway and Juneau over the Marine Highway. The record reveals numer-

ous shipments handled in this manner in 1963 and the forepart of 1964.

Two of the applicants are domiciled at Sitka. Of these, *Arrowhead Transfer Co.* has performed a drayage service in the Sitka area for 4 years. It has held temporary authorities from this Commission authorizing the transportation of general commodities, with exceptions, over irregular routes, between points in southeastern Alaska as well as appropriate intrastate authority from the Alaska Public Service Commission, and has transported numerous intrastate shipments over Marine Highway. It is an agent of a national household goods carrier and performs the Sitka-Mt. Edgecumbe transportation of household goods moving between the federal installation at Mt. Edgecumbe near Sitka and points in the southern 48 States in conjunction with the Alaska Steamship Company. *Service Transfer* has been engaged in the general transfer business at Sitka since about 1947. This company holds a certificate from this Commission which authorizes the transportation of general commodities, with the usual exceptions, over irregular routes, between points on Baranof Island, Alaska, as well as a temporary authority which authorizes the transportation of general commodities, except those of unusual value and livestock, over irregular routes, between points in southeastern Alaska as an extension of the authority contained in the present certificate and with the right to interchange with connecting carriers. This carrier is also an agent for a national household goods mover, and while it asserts that certain of the other applicants are its agents at Juneau and Ketchikan, it appears that any shipments handled by the so-called agents are, in fact, shipments of the latter. Sitka is served by Alaska Coastal Ellis

Airline with which applicant interlines freight, and a new airport is scheduled for construction at Sitka in 1965. While this carrier apparently has handled intrastate shipments over the Marine Highway, no interstate shipments have been handled in this manner.

Fairway Fast Freight Service has been in the transfer business in the Skagway area since December 1963. It holds appropriate authority from the Alaska Public Service Commission as well as a temporary authorization which authorizes the transportation of general commodities, except livestock and articles of unusual value, over irregular routes, between points in southeastern Alaska with the right to interchange traffic with other carriers. While the Alaska Steamship Company has discontinued service at Skagway, this port is still served by vessels of Canadian registry. Since the discontinuance of service by the Alaska Steamship Company applicant has received many requests for for-hire service to and from Haines and Juneau over the Marine Highway. In fact, applicant meets all inbound freighters at Haines, and since January of 1964 its trips to and from Juneau have averaged two each week. On these trips, the vehicle is driven on and off the vessel by the driver who remains with his vehicle during the water leg of the movement. Special equipment, such as fork lifts, are required in loading and unloading certain of the shipments.

Of the two remaining applicants, each is domiciled at Ketchikan; each holds a "grandfather" certificate from this Commission authorizing the transportation of general commodities, except those of unusual value, classes A and B explosives, commodities in bulk, and those requiring special equipment, over irregular routes, between points on Revillagigedo (Ketchikan) and An-

nette Islands, Alaska; and each widely advertises, through various media, its respective services in southeastern Alaska. *Ireland Transfer & Storage Co.* also holds a temporary authority authorizing the transportation of general commodities, except those of unusual value, classes A and B explosives and livestock, over irregular routes, between points in southeastern Alaska as an extension of its "grandfather" certificate and with the right to interchange freight with other carriers. In its present operation, this carrier has transported interstate shipments between Ketchikan and Wrangell, Petersburg, and Juneau. As an agent of a national household goods carrier, this applicant performs loading and unloading services either itself or through agents at most of the ports in southeastern Alaska served by the Marine Highway and proposes to interline with Smyth Van Lines at Haines shipments moving to and from interior Alaska points. Volume shipments are customarily transported on trucks, vans or flatbeds while "vanette" units are utilized in handling smaller shipments. The van or flatbed equipment is generally driven aboard the vessel at origin and off-boarded at destination with power units owned by applicant or its agents. Except when straight trucks are used, the power units and drivers generally do not make the water segment of the movements. The *Cordell Transfer Co.* and its predecessor have been in the local transfer business in the Ketchikan area since about 1935 and it also holds a temporary authority under which it has transported numerous interstate and intrastate shipments between southeastern Alaska ports over the water route. Trucks are usually placed aboard the vessel at origin and off-boarded at destination and distribution of the freight made by applicant's

agent or another carrier. When unloaded the vehicle is returned, sometimes empty, to Ketchikan. "Vanette" units under 20 feet in length are also used by this carrier for smaller shipments moving over the water route. Arrangements have been made with carriers domiciled at Fairbanks and Anchorage for the interlining at Juneau and Haines of household goods shipments moving to and from interior Alaska.

Certain of the applications were supported by three public witnesses. Inasmuch as public convenience and necessity is not the property of any particular carrier, however, the testimony of these witnesses will be considered in conjunction with any of the applications to which it might be pertinent. The Juneau regional administrative officer of the United States Bureau of Commercial Fisheries is interested in the transportation of fishery products from all points in southeastern Alaska as well as in the transportation of such commodities as household goods, scientific supplies, etc., between points in the Panhandle, including isolated field stations. A need was expressed for the granting of appropriate interstate authorities to transfer companies at such points as Juneau, Haines, and Skagway to replace Government-chartered facilities. The Alaska Coastal Ellis Airline occasionally distributes supplies from Ketchikan and Juneau to other points in southeastern Alaska and applicants' services, to the extent utilized in the past, apparently have been satisfactory. The general manager of the Alaska Forwarding Company, Inc., of Ketchikan, testified on behalf of his company which has been in operation since 1958. He asserted a need for underlying truck services throughout southeastern Alaska to transport freight forwarder shipments between points therein and points in the southern

48 States. Shipments arriving via rail and barge at Saxman (Ketchikan) are to be broken down at Saxman, assembled in trailers or in containers mounted on trailers and distributed by properly certificated motor carriers with motive power supplied by the motor carriers to points throughout southeastern Alaska over the Marine Highway whenever needed. In all such instances, however, the motive units do not accompany the shipments during the water segments of the movements but are merely used to load and unload the shipments at the vessels and to make distributions to consignees at destinations. The services of such underlying truckers as Ireland Transfer & Storage Co. and Cordell Transfer Co., to the extent utilized prior to the hearing, apparently have been wholly satisfactory. At the time of the hearing the forwarding company was in the process of selecting agents at each of the ports on the Marine Highway to handle all inbound and outbound shipments for it. Such commodities as canned salmon, frozen fish, and other seafoods are handled by the supporting freight forwarder, utilizing the same underlying motor carriers, in the reverse direction.

On balance, the joint board concludes that each applicant is entitled to authority as described in Appendix B. Inasmuch as all of the proposed operations are, in fact, nonscheduled irregular route services, as contemplated by the Commission, only services over irregular routes are authorized. As noted, applicants are domiciled at points throughout the full reach of the Alaska Panhandle, three being located at Juneau, two at Ketchikan, two at Sitka and one each at Haines and Skagway. The supporting public witnesses, whose testimony is considered in connection with all of the applications, assert a general need for the total proposed

services of applicants. Five now hold certificates from this Commission authorizing non-radial operations within their respective base territories. And seven of them also hold temporary authorizations authorizing operations substantially as here sought and substantial operations have been conducted under such authorities. No non-radial authorizations are granted duplicating any already held by applicants and non-radial authorities within established bases of operations are granted to those carriers without such existing non-radial authorizations. In addition, radial operations are granted to all applicants to and from points elsewhere in southeast Alaska, with the privilege of interchanging freight with connecting carriers operating to and from points in interior Alaska, in order that all applicants may perform the complete services shown to be required by the shipping public.

While all applicants propose to utilize portions of the Marine Highway in conducting their operations, that fact does not affect the validity of the conclusions reached herein. The operations to be performed are at all times clearly the operations of applicants. The State, as operator of the Marine Highway, disclaims any carrier status and exercises no control whatever over applicants' carrier service. Cargo, per se, is not accepted by the State. It does not join in through routes and joint rates with any carrier and its tolls are paid by applicants directly which in turn, are, included in applicants' total rates charged the shippers. Nor is the State liable for theft from persons, baggage, or vehicles while on the Marine Highway or at its terminals. The State has no knowledge of the contents, if any, of the trucks and other closed vehicles and has no relation with the shippers of the commodities. The tolls for

freight carrying vehicles are based solely upon distance and length of vehicles, whether loaded or empty.

The factual situation here is not materially different from the facts considered by Division 1 in *Alaska Van & Storage Company, Inc., "Grandfather" Applic.*, 94 M.C.C. 381, and *Hepp & Chapados Alaska "Grandfather" Applic.*, 94 M.C.C. 475. In the *Alaska Van & Storage Company* case, in which a "grandfather" certificate was granted authorizing the transportation of household goods between points in Alaska, over irregular routes, the division observed that the fact that rail and water carriage was utilized to facilitate the movement of some of the traffic, necessitated in part by the terrain of Alaska, does not alter the conclusion that the operations performed in Alaska were those of the motor carrier applicant. In the *Hepp & Chapados* case, in which a "grandfather" certificate was granted to transport household goods, over irregular routes, between points in Alaska except those in the Panhandle other than Haines and Juneau, applicant at the time of the hearing was utilizing the Haines-Juneau segment of the Marine Highway in its operation between Juneau and interior Alaska points. A similar ultimate conclusion is warranted in the present proceedings.

While not directly involved in these proceedings, it is felt that certain ancillary considerations deserve some mention. Because of the conclusion reached herein, it is unnecessary to resolve the question if the Marine Highway is, in fact, a ferry. Nor is it here necessary to consider any question of applicants' possible status as carriers under the Shipping Act, 1916, administered by the Federal Maritime Highway may be in the nature of an alternate route, such a position is clearly untenable. There is simply no existing overland highway to which

the Marine Highway might be an alternative route. And, when utilizing the Marine Highway, applicants clearly are not water carriers by nonvessel owners since they at no time have control of the entire reach of any vessel while plying the water leg of the truck-water, water-truck, or truck-water-truck route. See *Water Carrier Service on Great Lakes, Nonowned Vessels,* 285 I.C.C. 52 and 419, and cases there cited.

The joint board finds that the present and future public convenience and necessity require operation by applicants, in interstate or foreign commerce, over irregular routes, as common carriers by motor vehicle of general commodities, with exceptions, between points in southeastern Alaska as described in Appendix B; that applicants are fit, willing, and able properly to perform such services and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder; that certificates authorizing such operations should be granted, subject to the condition that such authorizations, to the extent that they may be duplicative of any already held by any of the applicants, shall be construed as granting only single operating rights; and that the applications should be denied in all other respects.

In view of the findings herein, the joint board recommends that the appended order be entered.

By Joint Board No. 412.

(Signature) William F. Meehan, Jr.

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